



WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

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Name of Individual Certifying this Document/Proposed Document

ADMINISTRATOR, DIVISION OF COMMUNITY CORRECTIONS

Title


[Handwritten Signature]

Signature

6/25/19

Date Signed

Department of Corrections – Wisconsin
Office of the Secretary
Wis. Stat. § 227.112(6)
DOC-2910 (6/2019)

 <p style="text-align: center;">WISCONSIN DEPARTMENT OF CORRECTIONS Division of Community Corrections DOC-1356 (Rev. 12/2009) Administrative Directive # 16-06 Replaces 02-09, 07-13</p>	EFFECTIVE DATE July 1, 2016	PAGE NUMBER 1 of 2
	MANUAL REFERENCE ECRM	<input type="checkbox"/> New <input type="checkbox"/> Revision
	ORIGINATED BY ADMINISTRATOR'S OFFICE Denise Symdon <i>Denise Symdon</i>	
DISSEMINATION <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Supervisory Staff Only		PRIORITY <input checked="" type="checkbox"/> Policy/Directive <input type="checkbox"/> Information Discuss at Staff Meeting Read/Route/Post
SUBJECT: Supervision Fees		

Reference(s):

Wisconsin Statutes 304.074
 Wisconsin Administrative Code DOC 328
 2015 Wisconsin Act 355

Policy Statement: Supervision fees along with court ordered obligations are financial obligations that must be fulfilled by an offender on supervision. Supervision fees increase the accountability of offenders for their supervision and provide funding to support DCC operations. Supervision fees are owed by offenders for each month or partial month that they are on supervision.

Definitions, Acronyms, Forms:

DOC-1682 Supervision Fee Action Report
 DOC-127 Request for Administrative Review

Procedure:

Supervision Fee Exemptions:

Offenders are eligible to be exempt from paying supervision fees in certain circumstances. Staff will follow the criteria and instructions in the ECRM regarding exemptions.

Fee Collection:

Per 2015 Wisconsin Act 355, as of July 1, 2016, supervision fee payments may not be collected from an offender who has an active restitution account with an unpaid balance as shown in WICS. Staff presented with a supervision fee payment must follow the procedure in the ECRM to determine whether the payment may be used to pay supervision fees or must be receipted as a court obligations payment. Payments may be made with cashier's check, money order, or credit card. Personal checks and cash are not permitted. Payments are to be made payable to the Department of Corrections, WI DOC, or DOC. Offenders will be issued a coupon book to be used to submit payments. Supervision fee payments and balances are tracked in WICS.

Review of payment:

Many supervision fee account errors and discrepancies can be avoided if payments are reviewed and verified when presented by offenders. Upon receiving an offender's payment, staff should follow the procedures in the ECRM for review and acceptance of payments.

Interstate Compact Offenders:

An offender in Wisconsin via the Interstate Compact is required to pay supervision fees in accordance with the policies and procedures established in Wisconsin, effective the date of acceptance. According to the Interstate Compact, an offender cannot be charged supervision fees for the same month in two states. If the receiving state charges a fee for the month in which the case was accepted, Wisconsin cannot charge a fee for that month. If the receiving state does not charge supervision fees, Wisconsin will charge a fee for that month.

Refunds:

If an offender has paid supervision fees in advance and their supervision ends early or they are discharged/terminated from supervision early, they may be eligible for a refund. The request for refund can only be made following discharge or termination from supervision. Refunds will be issued to the offender only after court and other division obligations have been satisfied. Refund requests should be on a DOC-1682.

Supervision Fee Account Reconciliation:

When an offender reports that there may be a discrepancy with their supervision fee account, field staff should perform an initial review of COMPAS and WICS to determine the status of the account and relate that information back to the offender. If the offender's concerns have not been resolved and they feel the account is still in error, offenders should be advised to utilize the Request for Administrative Review (DOC-127) process for resolution.

Based on the review of the account, it may be necessary for the field staff to refer the offender's account to the regional supervision fee data designee for reconciliation. Only if the regional supervision fee data designee is unable to reconcile the account should the Cashier's Unit be contacted. Field staff and regional supervision fee data designees are responsible for resolving problems with the Cashier's Unit and should not provide the Cashier's Unit contact information to offenders.

Tax Refund Intercept Program (TRIP):

DCC participates in the Wisconsin Department of Revenue Tax Refund Intercept Program (TRIP) for active offenders with an unpaid balance of \$200 or more. DCC will also pursue collection of unpaid supervision fees from inactive offenders for any unpaid balance. Offenders are annually sent a letter reminding them of their unpaid balances and provided with a coupon they may use to make a payment.

Bankruptcy:

The position of the Department is that supervision fees are not dischargeable through bankruptcy. Upon receipt of a notice indicating a bankruptcy case is pending, the field office will forward the notice to the Cashier's Unit. An automatic stay prevents any action to collect debts or any adverse action against the offender based solely upon non-payment while the bankruptcy is pending. To take adverse action such as revocation for nonpayment would potentially be contempt of bankruptcy court and subject to sanctions. The agent may continue to accept any voluntary payments during this period.

Charges to the offender's supervision fee account will continue to accrue during the bankruptcy proceedings. The offender's obligation for supervision fees stays intact during the bankruptcy proceeding and are collectable upon the bankruptcy disposition.